

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW MEXICO**

Petition for Revocation of Supervised Release

Name of Offender: Klayton Wimberly
Docket Number: 1084 1:17CR02778 -002JAP
Assigned Judge: Honorable James A. Parker, Senior United States District Judge
Date of Original Sentence: 09/04/2018
Original Offense: 18 U.S.C. 1344(1): Bank Fraud, and Aiding and Abetting
Original Sentence: BOP: 18 months custody; TSR: 36 months
Date Supervision Recommended: 09/26/2019
Date Supervision Expires: 09/25/2022
Other Court Action: 06/05/2019: 12C Petition for Revocation of Supervised Release and request for warrant was submitted to and approved by the Court, due to the defendant failing to complete Four Winds. On September 26, 2019, the defendant appeared for his Final Revocation Hearing was sentenced to 51 days' time served, followed by 36 months of supervised release.

03/25/2020: 12A Report on Offender Under Supervision was submitted to the Court, due to the defendant using methamphetamine. No Action was recommended and Ordered by the Court.

PETITIONING THE COURT

To issue a warrant.

Senior U.S. Probation Officer of the Court, Camilla Duarte, alleges the defendant has violated the following condition(s) of supervised release.

<i>Violation Type</i>	<i>Nature of Noncompliance</i>
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MC	You must not unlawfully possess a controlled substance.
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On March 4, 2021, during a home visit of the defendant's residence, the United States Probation Office located approximately two grams of marijuana, four marijuana pipes, which contained marijuana residue and four Xanax pills.

MC	You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests, thereafter, as determined by the court.
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On March 4, 2021, the defendant admitted he has been using marijuana over the past 30 days.

SPC	You must not use or possess alcohol.
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On March 4, 2021, during a home visit of the defendant's residence, the United States Probation Office located a bottle of Crown Royal liquor in the defendant's bedroom.

The maximum statutory penalty: 3 years imprisonment; 5 years supervised release.

The revocation range of imprisonment: 4 to 10 months.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03/05/2021.

Submitted:

Approved:

☒ Phone Approval

Camilla Duarte

Camilla Duarte
Senior U.S. Probation Officer
Cell #: 505-331-7644

Jack Burkhead
(505) 346-7274
Assistant U.S. Attorney

Date: 03/05/2021

Date: 03/05/2021